

Remarks

I. Introduction

This is in response to the Office Action dated November 17, 2004. Claims 1-23 were rejected under 35 U.S.C. §103(a). In response to the §103 rejections, Applicants have amended claims 1, 2, 4-5, 7, 8-9, 11, 12, 14, 16-17, and 19-21 and added claims 24-26. Applicants have canceled claims 3, 10, and 18. Claims 1, 2, 4-9, 11-17, and 19-26 remain for consideration.

II. Rejections under 35 U.S.C. §103

The Office Action rejected claims 1, 6-9, 11, and 13 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,721,001 (Berstis) in view of U.S. Patent No. 6,522,352 (Strandwitz) and further in view of U.S. Publication No. 2004/0218045 (Bodnar). Claims 2-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Berstis in view of Strandwitz and further in view of Bodnar and further in view of U.S. Publication No. 2002/0041329 (Steinberg). Claim 5 was rejected under 35 U.S.C. §103(a) as being unpatentable over Berstis in view of Strandwitz, further in view of Bodnar, and further in view of Steinberg and U.S. Patent No. 6,618,704 (Kanevsky).

Claims 10 and 15 were rejected under 35 U.S.C. §103(a) as being unpatentable over Berstis in view of Strandwitz, further in view of Bodnar, and further in view of U.S. Patent No. 6,049,281 (Osterweil). Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Berstis in view of Strandwitz and further in view of Bodnar and further in view of U.S. Patent No. 6,803,945 (Needham) and Steinberg. Claim 14 was rejected under 35 U.S.C. §103(a) as being unpatentable over Berstis in view of Strandwitz and further in view of Bodnar, and further in view of Needham. Claims 16-20 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Berstis in view of Strandwitz and further in view of Steinberg. Claims 21 and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Berstis in view of Strandwitz and further in view of Needham.

None of the references, either alone or in combination, disclose Applicants' invention.

Independent claim 1 is directed to an interactive wireless digital electronic camera. None of the cited references, either alone or in combination, disclose the subject matter of claim 1. Amended claim 1 contains the limitation:

a wireless modem arrangement coupled to the microprocessor for transmitting said stored image and recorded audio information to a network-based server and receiving information associated with said transmitted image and audio information.

As disclosed at col. 2, lines 15-39 and Fig. 1, Berstis is directed to a digital camera system having a cradle assembly for use during the data transfer process. The cradle assembly includes a data connector which provides data connections to the camera during the data transfer process. As specifically shown in Fig. 3 of Berstis, the camera is removed from the cradle, pictures are taken, and then the camera is placed back into the cradle to transfer image and text data. Thus, the cradle is an external device that the camera plugs into for data transferring processes. Berstis does not, however, disclose a wireless digital camera system having a wireless modem arrangement for transmitting and receiving image and audio information.

Even if the cradle and camera in Fig. 1 of Berstis are considered as a single system, Berstis still does not disclose all of the limitations of claim 1. In particular, claim 1 recites that the wireless modem arrangement receives information associated with the transmitted image and audio information. Further, Applicants' specification discloses, in paragraph [0006], that a return message can be transmitted in real time from the viewer of images on a designated website back to the user of the digital camera. At col. 4, lines 53-63 and in Fig. 3, Berstis discloses a microprocessor transferring the stored image and text data to an attached device via data cable 116. Similarly, in Fig. 2, Berstis discloses data transfer routines. Berstis does not, however, disclose an interactive, wireless digital camera having a wireless modem arrangement for

receiving information associated with the transmitted image and audio information.

Strandwitz fails to cure the deficiencies of Berstis. Strandwitz discloses a self-contained wireless camera and wireless camera system (Abstract). At col. 8, lines 17-20, Strandwitz discloses that the transmission of real time video and non-real time video presents a tradeoff in reliability. Moreover, in col. 14, lines 27-29, Strandwitz discloses “a radio transmitter coupled to the video compression circuitry for transmission of the compressed video signals from the camera.” Thus, Strandwitz does not disclose an interactive, wireless digital camera system having a wireless modem arrangement for transmitting image and audio information as well as for receiving information associated with the transmitted image and audio information.

Moreover, Bodnar fails to cure the deficiencies of Berstis and Strandwitz. Bodnar is directed to a system and method for allowing a new user of a user-operated device (e.g., a wireless digital camera) to immediately begin using the features and services of the device without having to first activate a new user account. In col. 6, paragraph [0063], Bodnar discloses that the camera “can also clip into a modem cradle through the Hot Shoe Interface. The modem cradle allows the camera to transmit images to the PhotoServer via a land line connection (e.g., 33 KBps) via a standard RJ-11 phone jack.” Bodnar also discloses a “wireless holster [that] physically connects the camera to a cellular phone” for transmission of data. Thus, Bodnar discloses wireless communication via a cellular telephone or wired communication via a modem cradle. Bodnar does not, therefore, disclose a wireless modem arrangement for transmitting image and audio information to a network-based server and receiving information associated with said transmitted image and audio information.

Thus, the combination of Berstis, Strandwitz, and Bodnar would not result in the invention of claim 1. Therefore, for these reasons, claim 1 is allowable over the cited art and withdrawal of the rejection under §103 is requested.

Independent claim 16 contains similar limitations to claim 1. As described above, Berstis and Strandwitz do not disclose the limitations of claim 16.

Steinberg fails to cure the deficiencies of Berstis and Strandwitz. In particular, Steinberg discloses, in paragraph [0007], that an object of Steinberg is to provide a system for maintaining communication between a seller of camera related merchandise / services or a billing center and a camera user. Steinberg discloses, in paragraph [0037], a message center that can prepare and collect messages for a particular camera / user and then transmits these messages to the camera. Specifically, Steinberg's camera receives messages from a message center that are generally related, as disclosed in paragraph [0034], to "the camera operation, and are better described as informative advertisements and peripheral camera business." Steinberg does not, however, disclose an interactive, wireless digital camera system having a wireless modem arrangement for receiving information associated with the transmitted image and audio information.

Thus, the combination of Berstis, Strandwitz, and Steinberg would not result in the invention of claim 16. Therefore, for these reasons, claim 16 is allowable over the cited art and withdrawal of the rejection under §103 is requested.

For the reasons discussed above, all independent claims are allowable over the cited art. Allowance of all independent claims is requested. All remaining claims are dependent upon an allowable independent claim and are therefore also allowable. In addition, the dependent claims add additional patentable subject matter and are also allowable for the reasons discussed below.

Dependent claims 7, 8, and 19 relate to the limitation of a listing of identification information associated with permitted viewers of a web site. Berstis fails to disclose this limitation. Berstis discloses, in col. 4, line 64 to col. 5, line 8, voice recognition annotations being enhanced by modifying information, such as a description of the picture or the names of people depicted in a picture. Berstis does not, however, disclose a listing of identification information *associated with permitted viewers of a web site*.

Strandwitz fails to cure the deficiencies of Berstis. As described above, Strandwitz discloses a wireless camera system including a self contained wireless camera device. Strandwitz does not, however, disclose any web sites or web pages. Thus, Strandwitz does not disclose a listing of identification information associated with permitted viewers of a web site display.

Bodnar fails to cure the deficiencies of Berstis and Strandwitz. As described above, Bodnar discloses a system and method for allowing a new user of a user-operated device (e.g., a wireless digital camera) to immediately begin using the features and services of the device without having to first activate a new user account. Bodnar discloses, in the Abstract, a user setting up his or her account when, for example, the user visits a photo Web site. Bodnar does not, however, disclose a listing of identification information associated with permitted viewers of a web site display. Therefore, claims 7, 8, and 19 are allowable for the reasons discussed above in connection with claims 1 and 16, respectively.

Dependent claims 11 and 16 relate to the limitation of a wireless digital electronic camera including an automatic recording element to prompt the camera to record updated image information at a predetermined rate. As the Office Action admits, Berstis and Strandwitz fail to disclose this limitation. The Office Action takes official notice that this limitation is well known in the art. Applicants traverse the Office Action's assertion that this limitation is well known in the art and request that the Examiner provide documentary evidence of this limitation. Therefore, claims 11 and 16 are allowable for the reasons discussed above in connection with claims 1 and 16, respectively.

Dependent claim 2 contains the limitation of a web site having an interactive web page allowing a viewer to input reply information forwarded to the wireless digital electric camera over the wireless communication link and received by the camera antenna and stored in the camera microprocessor. Berstis fails to disclose this limitation. As described above, Berstis discloses, in the Abstract, a "digital camera which allows voice annotations to be recorded for each picture." Berstis does not, however, disclose an interactive web page

allowing a viewer to input reply information for transmission back to the wireless digital camera.

Similarly, Strandwitz does not disclose an interactive web page allowing a viewer to input reply information for transmission back to the wireless digital camera. As described above, Strandwitz discloses a wireless camera system including a self contained wireless camera device. Strandwitz does not, however, disclose any web sites or web pages. Moreover, Bodnar also does not disclose the above limitation. Bodnar does disclose a photo Web site but does not disclose an interactive web page allowing a viewer to input reply information for transmission back to the wireless digital camera.

Additionally, Steinberg does not cure the deficiencies of Berstis, Strandwitz, and Bodnar. As described above, Steinberg discloses a system for maintaining communication between a seller of camera related merchandise / services or a billing center and a camera user. Steinberg does not, however, disclose an interactive web page allowing a viewer to input reply information for transmission back to the wireless digital camera. Thus, dependent claim 2 is allowable for the reasons discussed above in connection with claim 1.

Dependent claim 5 contains the limitation of a system having a text-to-speech element for converting the text response into an audio file and transmitting the audio file to the wireless digital camera, for playing by the camera using a speaker in the audio element. The Office Action admits that Berstis and Strandwitz and Bodnar fail to disclose a text-to-speech element for converting the text response to an audio file.

Kanevsky fails to cure the deficiencies of Berstis, Strandwitz, and Bodnar. Kanevsky discloses, in the Abstract, a system and method for real time teleconferencing, where one of the participants is deaf or hearing-impaired. In particular, Kanevsky discloses, at col. 4, lines 30-34, a text-to-speech synthesizer to produce audio output from the deaf or hearing-impaired person's typed input. Kanevsky does not, however, disclose a system having a text-to-speech element for converting a text response to an audio file and transmitting the audio file to a

wireless digital camera. Thus, dependent claim 5 is allowable for the reasons discussed above in connection with claim 1.

Dependent claim 15 relates to the limitation that the network-based server includes administrative feature capability to create an alert message when significant changes in sequential photographs of the same image occur. The Office Action admits that Berstis, Strandwitz, and Bodnar fail to disclose this limitation.

Osterweil also fails to cure the deficiencies of Berstis, Strandwitz, and Bodnar. Osterweil discloses, in the Abstract, monitoring an individual to determine when the individual is likely to exit a supportive structure. Osterweil discloses, at col. 9, lines 40-46, comparing image data against predetermined threshold parameters and actuating an alarm when at least one predetermined threshold parameter is exceeded. Thus, Osterweil sets off an alarm to notify others that a movement has taken place. Osterweil does not, however, disclose a server having administrative feature capability to create an alert message when significant changes in sequential photographs of the same image occur. In fact, Osterweil does not disclose a network-based server or a web page at all. Thus, dependent claims 10 and 15 are allowable for the reasons discussed above in connection with claim 1.

Dependent claims 12 and 21 contain the limitation that updated image information is automatically transmitted through a wireless packet network to the network-based server and replies associated with said transmitted image and audio information are sent to the camera over the same wireless packet network. The Office Action admits that Berstis, Strandwitz, and Bodnar fail to disclose the above limitation.

Needham fails to cure the deficiencies of Berstis, Strandwitz, and Bodnar. Needham discloses, in the Abstract, a camera system that includes a video camera and a processor which periodically uploads images captured by the video camera to a network-based server in accordance with a motion detection algorithm. Needham does not, however, disclose that the information associated with transmitted image and audio information are sent to the camera over the

same wireless packet network that was used to transmit each updated image to the network-based server.

Steinberg fails to cure the deficiencies of Berstis, Strandwitz, Bodnar, and Needham. In particular, Steinberg discloses providing a system for maintaining communication between a seller of camera related merchandise / services or a billing center and a camera user. Thus, Steinberg discloses transmitting messages from a message center to the camera generally related to the camera operation. Therefore, Steinberg does not disclose automatically transmitting updated image information through a wireless packet network and also sending replies *associated with the transmitted image to the camera* over the same packet network. Thus, dependent claims 12 and 21 are allowable for the reasons discussed above in connection with claims 1 and 16, respectively.

Dependent claims 4, 6, 9, 13, 14, 17, 20, 22, 23 are allowable for the reasons stated above and because they depend from an independent claim.

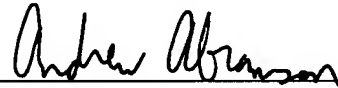
IV. No New Matter has Been Added

The amendments to claims 1, 2, 5, 8, 12, 14, 16, 17, 20, and 21 and new claims 24 through 26 do not add new matter. Support for the new claims and claim amendments are shown throughout the Specification and at least at paragraph [0006] on page 2, paragraph [0018] on page 5, and paragraph [0023] on page 7.

V. Conclusion

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all claims is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew Abramson", is written over a horizontal line.

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